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The Honorable James L. Robart

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

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ELI LILLY AND COMPANY et al.,

Plaintiff,

v.

TEVA PHARMACEUTICALS USA  
INC., et al.,

Defendants.

No. 2:17-cv-00267-JLR

**STIPULATED MOTION AND  
[PROPOSED] ORDER TO EXTEND  
THE DEADLINE TO TAKE THE  
DEPOSITION OF DR. JOHN  
WHITAKER**

NOTE ON MOTION CALENDAR:  
March 30, 2017

JLR

**STIPULATED MOTION**

All Parties to this action—Plaintiffs Eli Lilly and Company and ICOS Corporation (collectively, “Plaintiffs”), Defendants Teva Pharmaceuticals USA Inc. and Watson Laboratories, Inc. (collectively, “Defendants”), and Dr. John Steven Whitaker (“Dr. Whitaker”)—seek leave to extend the deadline to take the deposition of Dr. Whitaker ordered by this Court on March 16, 2017.

On March 16, 2017, the Court issued an Order on Motion to Transfer or to Quash or Modify and for Protective Order. (D.I. 7.). Regarding the deposition of Dr. John Whitaker, the Court stated that the “date upon which the parties agree to conduct the deposition must

1 be no later than thirty (30) days after the entry of this order," i.e., April 15, 2017. (D.I. 7 at  
2 10.) Due to Dr. Whitaker's prior commitments and the many depositions of other witnesses  
3 already scheduled by the Plaintiffs and Defendants in the Underlying Litigation, Plaintiffs,  
4 Defendants, and Dr. Whitaker were unable to find a convenient date for Dr. Whitaker's  
5 deposition by April 15, 2017. However, the Parties have identified April 18, 2017 as a  
6 mutually convenient date for Dr. Whitaker's deposition. Because April, 18, 2017, is only  
7 three days after the deadline set by this Court, the Parties believe there is good cause shown  
8 to extend the deadline to take Dr. Whitaker's deposition.

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10 The Parties therefore respectfully request that the Court allow for Dr. Whitaker's  
11 deposition to take place on April 18, 2017.  
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13 Dated: March 30, 2017.

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23 *Attorneys for Eli Lilly & Co. and ICOS Corp.*  
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26

1 Dated: March 30, 2017.

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8 Dated: March 30, 2017.

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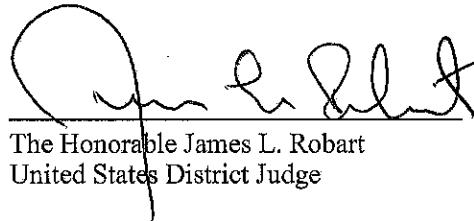
1 [PROPOSED] ORDER *JLR*  
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4 IT IS SO ORDERED.  
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6 Dated: March 30, 2017  
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The Honorable James L. Robart  
United States District Judge



Presented by:

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STIPULATED MOTION AND [PROPOSED] ORDER  
TO EXTEND THE DEADLINE TO TAKE THE  
DEPOSITION OF DR. JOHN WHITAKER  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all registered users.

DATED: March 30, 2017 at Seattle, Washington.

/s/ Sue Stephens  
Sue Stephens, Legal Assistant

STIPULATED MOTION AND [PROPOSED] ORDER  
TO EXTEND THE DEADLINE TO TAKE THE  
DEPOSITION OF DR. JOHN WHITAKER  
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**YARMUTH WILSDON PLLC**